UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/1294
30 December 1999

ORIGINAL: ENGLISH

LETTER DATED 29 DECEMBER 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to the military component of the United Nations Transitional Administration in East Timor (UNTAET).

Following the usual consultations, it is my intention to appoint Major General Jaime de los Santos of the Philippines to the post of Force Commander of UNTAET. General de los Santos will be promoted to the rank of Lieutenant General for the purpose of this assignment.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

99-40368 (E) 301299

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/1295
30 December 1999

ORIGINAL: ENGLISH

LETTER DATED 30 DECEMBER 1999 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 29 December 1999 (S/1999/1294) concerning your intention to appoint Major General Jaime de los Santos of the Philippines to the post of Force Commander of the United Nations Transitional Administration in East Timor (UNTAET) has been brought to the attention of the members of the Security Council. They take note of the intention contained in your letter.

(Signed) Jeremy GREENSTOCK
President of the Security Council

99-40374 (E) 301299

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/1296
30 December 1999

ORIGINAL: ENGLISH

LETTER DATED 29 DECEMBER 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In my letter to the President of the Security Council dated 12 December 1997 (S/1997/994), I informed the Council of my decision that Mr. Berhanu Dinka should serve as my Representative and Regional Humanitarian Adviser for the Great Lakes Region. The Security Council concurred with my decision (S/1997/995).

In his capacity as my Representative, Mr. Dinka has represented me in meetings held in the region, monitored developments and their implications for peace and regional security, and sought to contribute to regional efforts in the prevention or peaceful settlement of conflicts with specific emphasis on Burundi.

With respect to Burundi, the designation of former President Nelson Mandela as the new facilitator is expected to reinvigorate the peace process. In view of this, it is desirable to raise the profile of the United Nations within the overall efforts of the international community to address the current deteriorating political and humanitarian situation in Burundi.

I have, accordingly, decided to appoint Mr. Dinka as my Special Representative for the Great Lakes Region, at the assistant secretary-general level. In this capacity, he will, inter alia, sound out the views of countries in the region regarding the proposed organization of an international conference on the Great Lakes; represent me at meetings and deliberations under the Arusha peace process on Burundi; and address the regional dimensions of the conflict in the Democratic Republic of the Congo through, among other steps, close interaction with my Special Representative in the Democratic Republic of the Congo. It is my intention to extend his mandate, as revised, until the end of December 2000.

I should be grateful if you would bring this letter to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

99-40380 (E) 301299

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Security Council

Distr.
GENERAL

S/1999/1297
30 December 1999

ORIGINAL: ENGLISH

LETTER DATED 30 DECEMBER 1999 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 29 December 1999 (S/1999/1296) concerning your decision to appoint Mr. Berhanu Dinka as your Special Representative for the Great Lakes Region has been brought to the attention of the members of the Security Council. They take note of the decision contained in your letter.

(Signed) Jeremy GREENSTOCK
President of the Security Council

99-40386 (E) 301299

UNITED
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Security Council

Distr.
GENERAL

S/1999/1298
30 December 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 29 DECEMBER 1999 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On 19 December 1999 United States naval forces intercepted the freighter HYBY 2, carrying 14,538 tons of Vietnamese rice destined for Iraq, and prevented it from proceeding to the Iraqi port of Umm Qasr. They did so on the pretext that the vessel's holds were full of sacks of rice and that it was not possible to inspect them. The freighter is still at anchor in the inspection zone assigned to it by the United States forces.

In addition to the fact that they constitute open interference with merchant shipping in the Arabian Gulf, the acts of piracy committed by the United States forces on station in this area have the purpose of preventing or delaying the delivery of foodstuffs and other humanitarian items to Iraq.

The Government of Iraq condemns and deprecates the arbitrary use of force by the United States in order to prevent the delivery of foodstuffs to Iraq and thus increase the suffering of the people of Iraq caused by the unjust embargo. It urges you to intervene with a view to halting United States practices that are incompatible with international law, the Charter of the United Nations and the most elementary standards of civilized conduct among nations.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Ambassador
Permanent Representative

00-22791 (E) 040100 040100

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Security Council

Distr.
GENERAL

S/1999/1299
31 December 1999

ORIGINAL: ENGLISH

LETTER DATED 31 DECEMBER 1999 FROM THE CHAIRMAN OF THE SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO RESOLUTION 748 (1992) CONCERNING THE LIBYAN ARAB JAMAHIRIYA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 748 (1992) concerning the Libyan Arab Jamahiriya, containing an account of the Committee's activities since the beginning of 1999 (see annex). The present report, which was adopted by the Committee on 15 December 1999, is being submitted in accordance with the note by the President of the Council of 29 March 1995 (S/1995/234).

(Signed) Danilo TÜRK
Chairman
Security Council Committee established
pursuant to resolution 748 (1992)
concerning the Libyan Arab Jamahiriya

00-22841 (E) 040100

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Annex

Report of the Security Council Committee established pursuant to resolution 748 (1992) concerning the Libyan Arab Jamahiriya

I. INTRODUCTION

1. The Committee adopted the present report on 15 December 1999. The purpose of the report is to present a factual summary of the Committee's activities during the calendar year 1999, in accordance with the transparency measures outlined by the President of the Security Council on 29 March 1995 (S/1995/234). During 1999, the Committee held 2 meetings and handled over 50 incoming communications relating to various aspects of the implementation of the mandatory sanctions, as well as a comparable number of replies.

II. SUMMARY OF THE COMMITTEE'S WORK

2. With reference to paragraph 4 (b) of the note by the President of the Security Council dated 30 October 1998 (S/1998/1016), and following consultations among the members of the Council under the no-objection procedure, the members of the Security Council agreed to elect the Bureau for 1999, which consisted of Ambassador Danilo Türk (Slovenia) as Chairman, with the delegations of Brazil and Gabon providing the two Vice-Chairmen (S/1999/8; SC/6621).

A. Humanitarian flights

3. Pursuant to paragraph 9 (e) of Security Council resolution 748 (1992) of 31 March 1992, and at the suggestion of the United Nations resident coordinator in Tripoli, Libyan Arab Jamahiriya, the Committee, at its 13th meeting on 14 October 1992, approved special arrangements for emergency medical evacuation by air (MEDEVAC) from the Libyan Arab Jamahiriya. Instructions and procedures concerning the measures so approved by the Committee were transmitted to all States and international organizations on 16 October 1992.

4. Subsequently, the Committee, at its 59th meeting, held on 17 July 1995 (see SC/6070), approved further procedures and arrangements concerning the authorization and monitoring procedures for MEDEVAC flights from the Libyan Arab Jamahiriya and the related issue of the maintenance and supply of spare parts for the pre-designated four Libyan air ambulances, as an annex to the special arrangements for emergency medical evacuations by air from the Libyan Arab Jamahiriya, adopted previously at the Committee's 13th meeting, on 14 October 1992.

5. During 1999, the Committee approved 25 emergency MEDEVAC flights, while during 1998, 91 had been approved.

6. On 8 February 1999, the Committee approved procedures for pilgrimage (haj) flights from the Libyan Arab Jamahiriya to Jeddah, Saudi Arabia. In line with its previous practice and in accordance with paragraph 19 of the New

Consolidated Guidelines of the Committee for the Conduct of its Work (S/AC.28/1994/CRP.2/Rev.3 of 16 February 1994), the Committee will continue to apply a no-objection procedure, on a case-by-case basis, for the pilgrimage flights to and from Saudi Arabia (the same procedure applies for other humanitarian flights). The Committee would approve these flights with the following conditions: (a) the Government where the air carrier is based will communicate to the Committee, in advance, the exact schedule, routing and aircraft registration number for each flight; (b) all flights shall be direct and non-stop between the authorized destinations; (c) none of the aircraft shall be owned by, leased from or controlled by the Libyan Arab Jamahiriya or any Libyan entity; (d) neither the Government or public authorities of the Libyan Arab Jamahiriya nor any Libyan undertakings, shall, directly or indirectly, benefit financially from such flights, pursuant to paragraphs 3 (a) and (b) of Security Council resolution 883 (1993); and (e) pursuant to the Guidelines approved by the Committee, the aircraft must be inspected to ensure that they are operating exclusively for the declared humanitarian purposes and in accordance with the relevant provisions of Council resolution 748 (1992). Accordingly, these inspections will be effected with the participation of the competent authorities of the Government concerned and/or United Nations officials at:

(a) Airport (home airport or air carrier) immediately before departure to the Libyan Arab Jamahiriya;

(b) Tripoli, Benghazi and Jeddah, on both the inbound and outbound flights;

(c) Airport (home airport) upon return from the Libyan Arab Jamahiriya (SC/6639).

B. Violations

7. The Committee, at its 90th meeting, held on 26 January 1999, considered a communication from the United States of America and from United Nations sources concerning numerous recent events of alleged flight violations of the sanctions regime on the Libyan Arab Jamahiriya. The Committee requested its Chairman to address letters to the Permanent Representatives of a number of Member States (Chad, the Democratic Republic of the Congo, Eritrea, the Libyan Arab Jamahiriya, the Niger, the Sudan and Uganda) in order to seek additional information regarding this issue and to report back to the Committee. The Committee also sent letters to the Member States that had confirmed violations (Chad and the Gambia), reminding them of Article 103 of the Charter of the United Nations and of their obligations under Security Council resolution 748 (1992), and noting that the flights in question had been unacceptable breaches of the sanctions regime.

III. OTHER ISSUES

8. On 5 April 1999, the Secretary-General addressed a letter to the President of the Security Council (S/1999/378) informing him of the fact that the

requirements of paragraph 8 of Council resolution 1192 (1998) had been met, which was immediately acknowledged through a statement of the President of the Council to the press on 5 April 1999 following consultations of the whole (press release SC/6662). In this connection, on 6 April 1999, the Chairman of the Committee addressed a note verbale to all Member Sates, as well as the heads of international organizations and the specialized agencies, informing them of the above.

9. The Security Council, at its 3992nd meeting, held on 8 April 1999, adopted a presidential statement (S/PRST/1999/10), in which it noted that the conditions for suspending the wide range of aerial, arms and diplomatic measures against the Libyan Arab Jamahiriya had been fulfilled as of 5 April 1999, 1400 hours Eastern Standard Time.

10. The Security Council, at its 4022nd meeting, held on 9 July 1999, adopted a presidential statement (S/PRST/1999/22), in which it welcomed the positive developments identified in the Secretary-General's report of 30 June 1999 (S/1999/726), as well as the Libyan Arab Jamahiriya's commitment to further implementing Council resolutions 748 (1992) and 883 (1993) by continuing cooperation to meet all their requirements. It also reaffirmed its intention to lift as soon as possible the measures it had imposed in 1992 and 1993.

UNITED
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Security Council

Distr.
GENERAL

S/1999/1300
31 December 1999

ORIGINAL: ENGLISH

LETTER DATED 31 DECEMBER 1999 FROM THE CHAIRMAN OF THE SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO RESOLUTION 1132 (1997) CONCERNING SIERRA LEONE ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone, containing an account of the Committee's activities since the beginning of 1999. The present report, which was adopted by the Committee on 22 December 1999, is being submitted in accordance with the note by the President of the Council of 29 March 1995 (S/1995/234).

(Signed) Fernando Enrique PETRELLA
Chairman
Security Council Committee established
pursuant to resolution 1132 (1997)
concerning Sierra Leone

00-22835 (E) 040100

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Annex

Report of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

I. INTRODUCTION

1. The Committee adopted the present report on 22 December 1999. The purpose of the report is to present a factual summary of the Committee's activities since the beginning of 1999, in accordance with the transparency measures outlined by the President of the Security Council in his note of 29 March 1995 (S/1995/234). During this period, the Committee held six meetings and one informal consultation of the members of the Committee, at the expert level.

II. BACKGROUND INFORMATION AND SUMMARY OF THE COMMITTEE'S WORK

A. Background information

2. By resolution 1132 (1997), adopted on 8 October 1997, the Security Council, gravely concerned at the continued violence following the military coup of 25 May 1997 and determining that the situation in Sierra Leone constituted a threat to international peace and security in the region, imposed a regime of mandatory sanctions, under Chapter VII of the Charter of the United Nations, against Sierra Leone. Paragraphs 5 and 6 of this resolution prevented the sale or supply to Sierra Leone of petroleum and petroleum products, arms and related matériel of all types as well as imposed restrictions on the travel of members of the military junta of Sierra Leone and adult members of their families. By paragraph 10 of this resolution, the Council established a Committee consisting of all members of the Council. By resolution 1171 (1998), adopted on 5 June 1998, the Council lifted the petroleum embargo, leaving the other measures in effect.

B. Summary of activities of the Committee

3. With reference to paragraph 4 (b) of the note by the President of the Security Council dated 30 October 1998 (S/1998/1016), and following consultations among the members of the Council under the no-objection procedure, the members of the Council agreed to elect the Bureau for 1999, which consisted of Ambassador Fernando Enrique Petrella (Argentina) as Chairman, with the delegations of Bahrain and Namibia providing the two Vice-Chairmen (S/1999/8; SC/6621).

4. The Committee, at its seventh meeting, on 25 January 1999, took action with regard to the recommendations made in the Committee's annual report to the Security Council (S/1998/1236, dated 31 December 1998, annex, para. 25). The Committee agreed to reaffirm the need for close and continued cooperation with the Economic Community of West African States (ECOWAS) and the United Nations Observer Mission in Sierra Leone (UNOMSIL), by renewing its request for regular reports to the Committee pertaining to compliance with the arms embargo and

other aspects of the sanctions regime on Sierra Leone. In an effort to improve compliance with the travel ban in effect under the sanctions regime, the Committee agreed to request additional information from the Permanent Mission of Sierra Leone to the United Nations in an effort to update the list of members of the former military junta and the Revolutionary United Front of Sierra Leone (RUF) (SC/6632). Members of the Committee, as well as other Member States, were invited to submit any relevant information in this regard. In connection with alleged violations of the arms embargo, the Chairman was requested by the Committee to seek further information from the Member States concerned.

5. At the eighth meeting of the Committee, held on 12 March 1999, Mr. Francis Okelo, Special Envoy of the Secretary-General for Sierra Leone, briefed the members on the latest developments in the country since January 1999. Furthermore, the Chairman was requested by the members to seek information from ECOWAS regarding arms and arms matériel (nature, type, quantity and possible origin) retrieved by the Military Observer Group of ECOWAS (ECOMOG) from the former military junta in Sierra Leone and/or RUF.

6. As per paragraph 4 of resolution 1171 (1998), the Committee reported to the Security Council on 3 and 16 February, 26 March, 5 April, 29 September and 5 October 1999 (S/1999/111, S/1999/174, S/1999/350, S/1999/381, S/1999/1013 and S/1999/1026), on notifications received from States on the export of arms and related matériel to Sierra Leone, as well as on notifications of imports of arms and related matériel made by the Government of Sierra Leone.

7. On 16 April 1999, the Committee approved a request from the Government of Sierra Leone for an exemption to paragraph 5 of Security Council resolution 1171 (1998), for an initial period of 30 days, in order to permit the travel to Togo, on 18 April 1999, of Corporal Foday Sayabana Sankoh and a delegation of the Armed Forces Revolutionary Council (AFRC)/RUF, in order to facilitate the peace process. On 19 May 1999, in light of the continuing dialogue, and reports of a ceasefire agreement, as well as planned direct talks between the parties concerned, the Committee approved an extension of the above travel exemption, for an additional 30 days. On 18 June 1999, the Committee agreed to further extend the current travel exemption for members of RUF to participate in the ongoing peace talks.

8. With a view to resolving a hostage situation in Sierra Leone, involving several UNOMSIL and ECOMOG personnel, and non-United Nations civilians, the Committee granted an exemption on 6 and 9 August 1999, for 30 days, to paragraph 5 of Security Council resolution 1171 (1998), in order to allow the travel outside Sierra Leone of Johnny Paul Koroma and Brigadiers Bazzy Karama, Hassan Karama, Gabriel Mani and Major Paul Bonke Leke, respectively.

9. On 26 November 1999, the Committee approved a request from the Government of Sierra Leone for an exemption to paragraph 5 of Security Council resolution 1171 (1998) for Brigadier Mike Lamin, Minister of Trade and Industry, to enable him to lead his country's delegation to the World Trade Organization meeting in Seattle, Washington, United States of America. On 30 November 1999, a similar request was approved for Mr. Paolo Bangura, Minister of Energy and Power, to attend the African Energy Ministers Conference in Tucson, Arizona, United States of America.

C. Violations and alleged violations of the sanctions regime

10. At its 10th meeting, held on 3 May 1999, the Committee considered a report from the United Kingdom of Great Britain and Northern Ireland on a possible violation of the arms embargo, involving an alleged air shipment of arms from Ukraine, via Burkina Faso, with delivery, through Liberia, to the rebels in Sierra Leone. Members expressed appreciation for the information received from Ukraine and Burkina Faso, and agreed to request additional information from ECOWAS and Liberia, and to ask Ukraine and Burkina Faso for further information on the type and quantity of weapons shipped. The Committee also agreed to send a letter to the United Kingdom requesting information on the involvement of a company registered in Gibraltar in this matter.

11. The Committee, at its 11th meeting, held on 20 May 1999, considered a letter dated 14 May 1999 from the Permanent Representatives of Nigeria and the United Kingdom and the Chargé d'affaires a.i. of the United States Mission to the United Nations, addressed to the Chairman of the Committee, regarding an alleged violation of the sanctions regime, involving a shipment of arms, on an aircraft registered in Ukraine, from Burkina Faso to Liberia. The arms were then transported across the Liberian border to the rebel forces in Sierra Leone. The Committee agreed to send letters (all dated 24 May 1999) to the Permanent Representatives of Burkina Faso, Liberia and Ukraine, as well as ECOWAS, requesting additional information that might be available that could assist the Committee in its deliberations.

12. At its 12th meeting, on 15 June 1999, the Committee considered letters received from the Permanent Representatives of Burkina Faso (10 June 1999) and Ukraine (1 June 1999), the Chargé d'affaires of Liberia (9 June 1999) and the Special Representative of the Secretary-General for Sierra Leone (28 May 1999), with respect to alleged violations of the arms embargo. The Committee agreed to request from the Government of Burkina Faso (letters dated 30 June and 2 August 1999) additional information on the flight plan of the aircraft that had arrived in Ouagadougou on 18 March 1999 with a shipment of arms, and allegedly continued on to Liberia. The Committee also took note of a text read by the Representative of the United Kingdom, stating that his Government was aware of the involvement of a British company, Air Foyle, in the shipment of arms to Burkina Faso, as contained in the communication from Ukraine. According to the statement, Air Foyle had been currently cooperating with British Customs. Further, at the present time, his Government had no information to suggest that Air Foyle had been involved in the onward shipment from Ouagadougou to Liberia.

13. On 29 September 1999, taking into account the information provided by the Permanent Representative of Burkina Faso in his letter dated 24 August 1999, the Committee addressed a letter to the Director-General of the Agency for Air Navigation Safety in Africa and Madagascar (ASECNA), with a view to seeking additional information pertaining to an alleged breach of the arms embargo that had occurred on 18 March 1999. The Committee has still to receive a reply from ASECNA.

III. OBSERVATIONS

14. Since the Sanctions Committee plays a central role in the monitoring of the implementation of the sanctions regime on Sierra Leone, it should consider ways to improve the monitoring and implementation of the sanctions against Sierra Leone. Reports through ECOWAS, from ECOMOG, and/or UNOMSIL, could strengthen the effectiveness of the arms embargo, by assisting the Committee in its efforts to guard against the influx of arms and related matériel of all types into the territory of Sierra Leone (as recommended in paragraphs 3 and 4 of Security Council resolution 1196 (1998), adopted on 16 September 1998).

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Security Council

Distr.
GENERAL

S/1999/1301
31 December 1999

ORIGINAL: ENGLISH

LETTER DATED 31 DECEMBER 1999 FROM THE CHAIRMAN OF THE SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO RESOLUTION 985 (1995) CONCERNING LIBERIA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 985 (1995) of 13 April 1995 concerning Liberia (see annex) which was adopted by the Committee under the no-objection procedure on 31 December 1999 and is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(Signed) Martin ANDJABA
Chairman
Security Council Committee established
pursuant to resolution 985 (1995)
concerning Liberia

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Annex

Report of the Security Council Committee established pursuant to resolution 985 (1995) concerning Liberia

I. INTRODUCTION

1. The present report of the Security Council Committee established pursuant to resolution 985 (1995) of 13 April 1995 concerning Liberia covers the period from January to December 1999.

2. A report of the Committee covering its activities from January to December 1998 was submitted to the Security Council on 24 December 1998 (S/1998/1220).

II. SUMMARY OF THE COMMITTEE'S ACTIVITIES DURING THE REPORTING PERIOD

3. For 1999 the bureau consists of Ambassador Martin Andjaba (Namibia) as Chairman, with the delegations of Canada and Malaysia providing the two Vice-Chairmen.

4. During the period under review, the Committee held one informal consultation on 18 May 1999 to discuss communications received from the United Kingdom of Great Britain and Northern Ireland and Ukraine, as outlined below.

5. On 19 April 1999, the Chairman of the Committee received a letter from the Permanent Representative of the United Kingdom providing the Committee with information relating to an alleged violation of the measures established in paragraph 8 of Security Council resolution 788 (1992) of 19 November 1992. He also enclosed a copy of a letter and two press articles that he had sent to the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) of 8 October 1997 concerning Sierra Leone.

6. On 27 April 1999, the Chairman received a note verbale from the Permanent Mission of Ukraine to the United Nations transmitting the results of an investigation carried out by the competent Ukrainian authorities concerning reports on the delivery, by a Ukrainian aircraft, of weapons and ammunition to Burkina Faso, which, allegedly, were flown on to Liberia and transported subsequently to non-governmental forces in Sierra Leone. That communication stated that the results of the investigation had established that the aforementioned delivery was made to Burkina Faso in accordance with Ukrainian legislation and the relevant norms of international law. In this connection, the competent Ukrainian authorities ascertained the authenticity of the seals, both on the delivery confirmation certificate and on the end-user certificate, and the fact that the relevant documentation did not contain any indication that the shipment was destined for re-export to any other legal or natural person in any other third country.

7. The Permanent Mission of Ukraine also indicated its grave concern at reports that the shipment could be subsequently re-exported in violation of the respective resolutions of the Security Council. A similar note was forwarded to the Chairman of Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone.

8. On 14 May 1999, the Committee received a joint communication from the delegations of the United Kingdom, Nigeria and the United States of America passing on additional information regarding a possible violation of the provisions of Security Council resolution 985 (1995), as indicated in the letter received from the United Kingdom on 19 April 1999, and requested the Committee to forward this information to the Governments of Burkina Faso, Liberia and Ukraine requesting them to undertake thorough investigation on this matter.

9. On 26 May 1999, the Chairman, on behalf of the Committee, addressed letters to the Permanent Representatives of Burkina Faso, Liberia and Ukraine, informing them that the Committee had received information concerning an alleged shipment of arms from Ukraine to Sierra Leone via Burkina Faso and Liberia. He also indicated to them that the Committee was aware that the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone had also received the same information and was seized of the matter.

10. The Chairman further informed them that that allegation pertained not only to a possible violation of the provisions of Security Council resolution 1132 (1997), but also to a possible violation of the provisions of Security Council resolution 985 (1995), and requested them to ensure that any communication they might send in response to enquiries from the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone on this matter were also copied to him for information. In that context, he also stated that the Security Council Committee established pursuant to resolution 985 (1995) concerning Liberia might, of course, decide to pursue separately any relevant matters arising from those enquiries.

11. On 7 June 1999, the Permanent Mission of Ukraine to the United Nations copied, for the information of the Committee, a letter dated 1 June 1999 addressed to the Chairman of Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone on the above matter. The Committee did not receive replies from the Governments of Burkina Faso and Liberia.

III. OBSERVATIONS

12. The Committee does not have any specific monitoring mechanism to ensure the effective implementation of the arms embargo and would like to recall its past observations that it relies solely on the cooperation of States and organizations in a position to provide pertinent information.

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Security Council

Distr.
GENERAL

S/1999/1302
31 December 1999

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS MISSION OF OBSERVERS IN PREVLAKA

I. INTRODUCTION

1. In pursuance of Security Council resolution 1252 (1999) of 15 July 1999, which extended the mandate of the United Nations Mission of Observers in Prevlaka (UNMOP) until 15 January 2000, I reported on 12 October 1999 (see S/1999/1051) on the operations of UNMOP and progress in the bilateral negotiations between Croatia and the Federal Republic of Yugoslavia to resolve the disputed issue of Prevlaka, as well as on options to develop confidence-building measures between the parties. The present report covers developments since that date.

2. The Mission currently consists of 27 United Nations military observers (see annex) headed by a Chief Military Observer, Colonel Graeme Williams (New Zealand). Developments in the region have not allowed for further reduction of the number of military observers. However, UNMOP's strength is under continuous review.

3. In accordance with its mandate, UNMOP continues to monitor the demilitarization of the Prevlaka peninsula and of the neighbouring areas in Croatia and the Federal Republic of Yugoslavia and holds regular meetings with the local authorities in order to strengthen liaison, reduce tensions, improve safety and security and promote confidence between the parties. The Chief Military Observer also maintains contact with the authorities in Zagreb and Belgrade in order to address issues arising from the implementation of resolution 1252 (1999). Cooperation between UNMOP and the multinational stabilization force (SFOR) is maintained through regular meetings.

II. SITUATION IN THE AREA OF RESPONSIBILITY OF THE MISSION

4. Since the submission of my last report on 12 October (S/1999/1051), the situation in the UNMOP area of responsibility has remained stable and calm. UNMOP continues to maintain a 24-hour presence at its team site on the Ostra peninsula, at Herceg Novi in the Federal Republic of Yugoslavia (Montenegro) and at the headquarters at Cavtat and the team site at Gruda in Croatia.

5. The area of responsibility of UNMOP and the designation of the demilitarized and the United Nations-controlled zones remain as previously reported. UNMOP maintains the interpretation of the limits of the United Nations-designated zones, as defined in reports of the Secretary-General to the Security Council since 1992, regardless of unilateral decisions by one party or the other not to respect the United Nations-mandated security regime. In accordance with established procedure, UNMOP has continued to protest violations of both the demilitarized zone and the United Nations-controlled zone to the authorities in Croatia and the Federal Republic of Yugoslavia, including the Republic of Montenegro, in order to encourage greater respect for the security regime governing the zones and to improve the freedom of movement of the United Nations military observers.

6. During the reporting period, neither Croatia nor the Federal Republic of Yugoslavia put in place a comprehensive demining programme in the UNMOP area of responsibility. As a result, the situation of identified minefields in the area remains unchanged.

Demilitarized zone

7. In November 1999, the Yugoslav authorities informed UNMOP of their intention to withdraw all the formed units of the Yugoslav Army that had been stationed in the demilitarized zone in violation of the United Nations security regime. The withdrawal, which began shortly thereafter, was completed on 11 December 1999 and has since been confirmed by UNMOP. Since Croatia does not have military formations in the demilitarized zone, the whole zone is now free of formed military units and heavy weapons for the first time since the commencement of United Nations monitoring in the Prevlaka region on 20 October 1992.

8. Following the withdrawal, the Yugoslav authorities also removed all the restrictions they had imposed until then on the movement of United Nations military observers. Croatia for its part continues to place restrictions on the movement of UNMOP patrols in the north-western part of the demilitarized zone by requiring UNMOP to provide advance written notice before undertaking foot or vehicle patrols in this area.

9. The crossing point at Debeli Brijeg remains open on a 24-hour basis, allowing the movement of civilians and commercial traffic between Croatia and the Federal Republic of Yugoslavia (Montenegro).

United Nations-controlled zone

10. The long-standing violations of the security regime in the United Nations-controlled zone, as previously reported (see S/1999/1051, para. 10), continue unchanged. Approximately 25 Croatian Special Police are located at four positions and approximately 10 Yugoslav (Montenegrin) Border Police are present at two positions inside that zone. In addition, the presence of manned checkpoints of both Croatia and the Federal Republic of Yugoslavia (Montenegro) for the purpose of operating a local crossing point at Cape Kobila (currently for 4 hours a day), continue to violate the security regime in the United Nations-controlled zone.

11. Both the Croatian and Montenegrin authorities permit local residents to enter the United Nations-controlled zone for the purpose of crossing into the Federal Republic of Yugoslavia (Montenegro) and Croatia, respectively. In addition, the Croatian authorities continue to permit civilians, including local and foreign tourists, to enter the zone for fishing, farming and recreational purposes. Senior Croatian officials entered the United Nations-controlled zone between October and December 1999 without seeking the prior permission of the United Nations. All of these activities, which involve the unauthorized presence of civilians in the United Nations-controlled zone, constitute violations of the agreed security regime.

12. The violations referred to in paragraphs 10 and 11 above do not constitute a serious security threat, but nevertheless demonstrate that the parties do not ensure full respect for some provisions of the security regime freely agreed upon by them.

13. The waters of the United Nations-controlled zone continue to be violated frequently by Croatian and Yugoslav fishing boats.

III. PROGRESS TOWARDS A NEGOTIATED SETTLEMENT

14. Both the Federal Republic of Yugoslavia and Croatia have indicated a willingness to resolve their dispute over Prevlaka through bilateral negotiations pursuant to the Agreement on Normalization of Relations signed by them at Belgrade on 23 August 1996 (see S/1996/706, annex). As previously reported, four rounds of talks have been held, the latest of which took place in Belgrade on 9 March 1999. However, no talks have been held since that date, and Croatia has not extended an invitation to the Federal Republic of Yugoslavia to attend a further round. Pursuant to paragraph 5 of resolution 1252 (1999), the Federal Republic of Yugoslavia reported on the state of the negotiations in a letter to the Secretary-General dated 24 December 1999 (S/1999/1278). Croatia last reported to the Secretary-General in a letter dated 12 October 1999 (S/1999/1049).

IV. CONFIDENCE-BUILDING MEASURES

15. As previously reported (S/1999/1051, para. 20), a "package" of recommendations and options for confidence-building was conveyed to the parties by the Secretariat during October 1999. This package covers basic elements of the disputed issue, confidence-building measures and freedom of movement for local civilians. The full demilitarization of the demilitarized zone was one of the measures proposed and the fact that this has now been implemented constitutes an important step forward. Building on this first positive achievement, it is now important to address the remaining permanent violations.

16. In other reactions to the proposals of the Secretariat, the Yugoslav authorities have indicated to the UNMOP Chief Military Observer that they would be willing to take steps to formally demarcate the northern part of the border with Croatia, up to a point to the south of Debeli Brijeg, and to regularize the operation of the Debeli Brijeg crossing point. To further explore these

positive indications, a resumption of the direct talks between the parties seems necessary. Furthermore, the Montenegrin authorities have indicated that they would withdraw their Border Police personnel from the United Nations-controlled zone if Croatia agreed to withdraw its Special Police at the same time. Meanwhile, the Croatian authorities have expressed interest in a controlled access regime for local civilians, that is, landowners and fishermen, who wish to enter the United Nations-controlled zone for legitimate business. In this context, the proposals conveyed to the parties should allow them to find solutions to long-standing difficulties or permanent violations of the security regime. Preliminary discussions on practical implementation have commenced and should be encouraged.

IV. FINANCIAL ASPECTS

17. Although an independent Mission, for administrative and budgetary purposes UNMOP is treated as part of the United Nations Mission in Bosnia and Herzegovina (UNMIBH). By its resolution 53/233 of 8 June 1999, the General Assembly appropriated an amount of $167.6 million gross for the maintenance of UNMIBH for the 12-month period from 1 July 1999 to 30 June 2000.

18. Therefore, should the Security Council decide to extend the mandate of UNMOP beyond 15 January 2000, as recommended in paragraph 24 below, the costs of maintaining the Mission would be met from within the budget of UNMIBH.

V. OBSERVATIONS

19. The confirmed withdrawal of Yugoslav military forces from the United Nations demilitarized zone, seen together with the continuing absence of Croatian troops, is a welcome development. It is hoped that this will facilitate the implementation of further practical steps aimed at strengthening respect for the security regime, including addressing the remaining violations in the United Nations-controlled zone and removing all remaining restrictions on the movement of United Nations military observers. The parties should start discussing and implementing such steps without delay.

20. As observed previously (S/1999/1051, para. 15), the opening and continued operation of a crossing point at Cape Kobila, in the United Nations-controlled zone, as opposed to the opening of the crossing point at Debeli Brijeg in the demilitarized zone, is a violation of the United Nations-mandated security regime. In this regard, it is worth noting that the United Nations military observers continue to report that the level of traffic passing through this crossing point remains negligible in comparison with that through Debeli Brijeg.

21. To avoid the problems caused by the crossing point at Cape Kobila, the Federal Republic of Yugoslavia and Croatia could, at their discretion, redefine the security regime that they previously agreed upon so that civilian traffic might use the road which passes through the United Nations-controlled zone at Cape Kobila without this being regarded as a violation of the security regime. Some suggestions in this regard were put to the parties in the package of options of October 1999. The United Nations stands ready to assist in the

development of arrangements to give effect to any agreement on this issue which the parties might reach. However, until they can agree on a suitable arrangement, UNMOP will continue to record as violations all unauthorized entries into the United Nations-controlled zone, including those relating to the use of the crossing at Cape Kobila.

22. While it is gratifying that troops of the Yugoslav Army have withdrawn from the demilitarized zone, there remain elements of the options package presented to the parties in October which have not been taken up by them and which, if implemented, could create a climate conducive to the peaceful resolution of the disputed issue of Prevlaka. I therefore urge the parties to study the options package further and to devise a means of implementing, as they see fit, a strategy to give effect to these other recommendations. These include, as mentioned above, the regularization of the crossing point at Debeli Brijeg, the introduction of a limited access regime for local civilians with legitimate business in the United Nations-controlled zone and the replacement of the crossing point at Cape Kobila by means of this controlled access regime. Member States may wish to use their influence with the parties to assist them in the formulation of further steps. The UNMOP leadership stands ready to assist in working out and implementing any practical arrangements.

23. Although progress has been made in stabilizing and demilitarizing the territory patrolled by UNMOP, it is disappointing that concurrent progress at the political level has not been made. Confidence-building measures and moves to increase stability on the ground can supplement but not replace substantive negotiations, which alone can lead to a comprehensive settlement of the disputed issue of Prevlaka. Ten months have elapsed since the holding of the last round of bilateral negotiations between the parties in Belgrade. Under the reciprocal arrangements used in the negotiations so far, Zagreb is expected to host the fifth round. In consideration of the recent positive developments on the ground and the fact that the package of options for confidence-building measures was broadly discussed with the parties, the talks should resume as soon as possible, at least at the expert level. As the present pre-election period in Croatia might not be conducive to substantive negotiations, it is hoped that the next round can be held as soon as the elections are over.

24. Given the importance of ensuring that the situation on the ground remains as free of tension as possible, and in order to maintain the conditions of stability that are essential to the success of the political settlement process, I recommend that the UNMOP mandate be extended for a further six months, until 15 July 2000, without change to the current concept of operations. The Security Council may wish to request that the parties continue to report on progress in their talks.

25. In conclusion, the Chief Military Observer and the men and women of UNMOP are to be commended for their continued efforts to maintain peace and security in their area of responsibility.

Annex

Composition and strength of the military elements of the United Nations Mission of Observers in Prevlaka as at 31 December 1999

Nationality	Number of military observers
Argentina	1
Bangladesh	1
Belgium	1
Brazil	1
Canada	1
Czech Republic	1
Denmark	1
Finland	1
Ghana	2
Indonesia	2
Ireland	1
Jordan	1
Kenya	1
Nepal	1
New Zealand	2
Nigeria	1
Norway	1
Pakistan	1
Poland	1
Portugal	1
Russian Federation	1
Sweden	1
Switzerland	1
Ukraine	1
Total	27

Map 4137 United Nations
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Cartographic Section